

**DECLARATION AND POWER OF ATTORNEY**

As a below-named joint inventor, I hereby declare that:

My residence, post office address, and citizenship are as recited below next to my respective name.

I believe I am the original, sole, and first inventor of the subject matter that is claimed and for which a patent is sought in the invention entitled **Methods and Systems For Providing An Average Pricing Contract For The Sale Of A Commodity** assigned patent application serial number 10/773,539, filed February 6, 2004.

I hereby acknowledge that I have reviewed and understand the contents of the above-identified application, including the claims and drawings.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37 Code of Federal Regulations §1.56. As stated therein, information is material to patentability when it is not cumulative to information already of record in the file of the above-identified application or being made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) it refutes, or is inconsistent with, a position we take in: (i) opposing an argument of unpatentability relied upon by the Office, or (ii) asserting an argument of patentability.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or Inventor's Certificate, or Section 356(a) of any PCT international application that designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or Inventor's Certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application	Country	Date Filed	Priority Not Claimed
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Date Filed

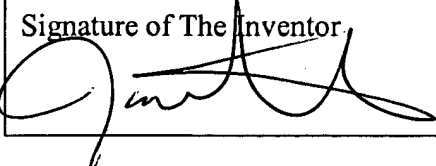
I hereby claim the benefit under 35 U.S.C. Section 120 of any United States applications(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R. section 1.56 that became available between the filing date of the prior application and the national or PCT International filing date of this application:

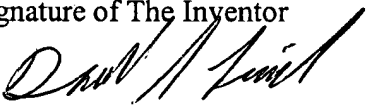
Application Serial No.	Filing Date	Status
10/209,994	August 1, 2002	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As (a) named inventor(s), I/we hereby appoint the following attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Glen E. Books (24,950); Michael Johannesen (35,557); Stephen R. Buckingham (40,538); Alex R. Pagano (44,994); George Morgan (46,505); Justin D. Petruzzelli (52,118); and Daniel Sierchio (53,591) and all of Lowenstein Sandler PC.

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